

June 20, 2003

Public Information and Records Integrity Branch
Office of Pesticide Programs
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington D.C. 20460

To Whom It May Concern:

We are writing regarding Docket ID No. OPP-2002-0231 concerning Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act.

These comments reflect those of the Pesticide Safety Education Program office and not those of Oklahoma State University or the Division of Agricultural Sciences and Natural Resources.

We commend EPA for its efforts in seeking new ways to address Section 18s. The new tiered approach has potential to provide more flexibility in determining significant economic loss. For example, the new tiered approach uses a reduction in yield, gross revenue or net revenue to determine significant economic loss rather than simply net revenue (current approach). The relationship between yield, gross revenue and net revenue differs by crop and location. Impacts on producers and consumers from the restricting the use specific insecticides, fungicides or rodenticides are more likely to be minimized through the use of the proposed three tier approach.

However, with the new approach due to the fact that with different crops: yield, gross revenue and net revenue could all move in different directions. For more local crops (e.g. nuts, fruits and vegetables) facing inelastic demands a small reduction in yield may result in a large price increase and an increase in net returns. Thus, the current method may not capture the significant economic loss to consumers of the yield reduction. The new three tier method would identify the potential significant economic loss under either situation. Therefore with this flexibility it allows for changes that will occur depending on what crop and its elasticity.

The new tiered approach uses less data and resources to determine a significant economic loss. We find the new approach to provide more flexibility when determining economic loss and therefore improving the system to account for the great variability with crop production systems and seasons. The new method offers greater protection from significant economic loss to producers, consumers and rural economies.

We encourage EPA to adopt the proposed changes in determining Section 18s.

We hold these comments open for further input as information may be obtained.

Sincerely,

Jim T. Criswell
Pesticide Coordinator

JTC/dp